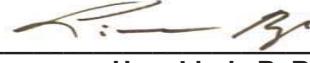




Entered on Docket  
September 03, 2010

  
Hon. Linda B. Riegle  
United States Bankruptcy Judge

RICK A. YARNALL  
CHAPTER 13 BANKRUPTCY TRUSTEE  
Marianne Gatti, Esq.  
Nevada Bar No. 7717  
701 Bridger Avenue, Suite 820  
Las Vegas, Nevada 89101  
Telephone: (702) 853-4500  
RAY13mail@LasVegas13.com

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEVADA

In re:

BK-S-09-30588-LBR  
Chapter 13

FLAVIO SOARES, and  
JULIETA SOARES,

Hearing Date: N/A  
Hearing Time: N/A

Debtor(s).

**EX- PARTE ORDER DISMISSING BANKRUPTCY PROCEEDING**

On or about August 6, 2010, Debtor(s), Flavio & Julieta Soares, by and through their counsel, Aaron & Paternoster, entered into a Stipulation to Convert or Dismiss Case by Date Certain; Order Thereon (the "Stipulation") (See Docket #106) with Rick A. Yarnall, Chapter 13 Bankruptcy Trustee, by and through his counsel, Marianne Gatti, Esq. The Stipulation required the within Debtor(s) to either voluntarily convert their case under Chapter 13 to one under Chapter 7 by August 20, 2010, or to voluntarily dismiss their case by that date.

...

1 The time for the Debtor(s) to either convert or dismiss their case has passed.  
2

3 **IT IS HEREBY ORDERED** that the above-captioned bankruptcy proceeding under Chapter 13  
4 is **DISMISSED** for the Debtors' failure to either convert or dismiss the instant bankruptcy case by August  
5 20, 2010.  
6

7 **IT IS SO ORDERED.**  
8

9 Respectfully Submitted:  
10

11 M. Gatti  
12 MARIANNE GATTI, ESQ.  
13 Nevada Bar No. 7717  
14 701 Bridger Avenue, Suite 820  
15 Las Vegas, Nevada 89101  
16 Attorney for RICK A. YARNALL  
17 Chapter 13 Bankruptcy Trustee  
18  
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21  
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28

DATE: 8-31-10

###

1 RICK A. YARNALL  
 2 CHAPTER 13 BANKRUPTCY TRUSTEE  
 2 Marianne Gatti, Esq.  
 2 Nevada Bar No. 7717  
 3 701 Bridger Avenue, SUITE 820  
 3 Las Vegas, Nevada 89101  
 4 Telephone: (702) 853-4500  
 4 RAY13mail@LasVegas13.com  
 5

E-filed: 9-1-10

6  
 7 UNITED STATES BANKRUPTCY COURT  
 8 FOR THE DISTRICT OF NEVADA  
 9

10 In re:

11 FLAVIO SOARES, and  
 12 JULIETA SOARES,  
 13

Debtor(s).

BK-S-09-30588-LBR  
 Chapter 13

Hearing Date: N/A  
 Hearing Time: N/A

14  
 15 **AFFIDAVIT IN SUPPORT OF EX-PARTE ORDER OF DISMISSAL**

16 County Of Clark )  
 17 State of Nevada ) ss:  
 18 )

19 I, Leah Abeyta, being first duly sworn upon his oath, hereby deposes and says:

20 1. That I am an employee of Rick A. Yarnall, Chapter 13 Bankruptcy Trustee make this  
 21 Affidavit of facts from personal knowledge which is known to me except for those matters stated upon  
 22 information and belief, and as to those matters, I believe same to be true.

23 2. That I make this Affidavit in support of the Ex-Parte Order of Dismissal.

24 3. On or about August 6, 2010, a Stipulation To Convert Or Dismiss Case By Date Certain;  
 25 Order Thereon was entered into between Rick A. Yarnall, Chapter 13 Trustee and Debtors' counsel,  
 26 requiring the Debtors to either convert or dismiss their chapter 13 bankruptcy case by August 20, 2010.

27 4. The time to convert or dismiss the instant bankruptcy case has passed.

28 . . .

1  
2 5. The Debtors have not converted or dismissed their bankruptcy case.

3 FURTHER, AFFIANT SAYETH NAUGHT this 1<sup>st</sup> day of September, 2010.

4  
5  
6  
7 LEAH ABEYTA  
8 An employee of RICK A. YARNALL,  
9 Chapter 13 Bankruptcy Trustee

10  
11 SWORN to and SUBSCRIBED before me this  
12 1<sup>st</sup> day of September, 2010.

13  
14 Cindy L. Coons  
15 NOTARY PUBLIC in and for said County and State

